

MEETINGS TO DATE 23
NO. OF REGULARS 21
NO. OF SPECIALS 2

LANCASTER, NEW YORK
NOVEMBER 4, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of November 1985, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons for or against a fire contract between the Bowmansville Volunteer Fire Association, Inc. and the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

Questions & Statements:

Allen Lippke, President of Millgrove Fire Department, on behalf of the Department, read a prepared statement to go on record as requesting similar benefits as this proposed contract be incorporated into the Town Board's contract with Millgrove.

PROPOSERS
Frank Cullinan, President
Bowmansville V.F.D.

ADDRESS
203 Seneca Place
Lancaster, N.Y.

OPPOSERS
NONE

ADDRESS

PUBLIC HEARING SCHEDULED FOR 8:10 P.M. CONT'D.:

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK____
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
8:20_ P.M.

The Supervisor informed those present that the Town Board would
reserve decision on this matter until their next meeting scheduled for
November 18, 1985.

PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:

At 8:20 P.M., the Town Board held a Public Hearing to hear all
Interested persons for or against a fire contract between the Town Line
Volunteer Fire Department, Inc. and the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public
Hearing were presented and ordered placed on file.

Questions & Statements:

Allen Lippke, President of the Millgrove Fire Department , on
behalf of the Department, read a prepared statement asking to go on record
as requesting similar benefits, as this proposed contract be incorporated
into the Town Board's contract with Millgrove.

<u>PROPOSERS</u>	<u>ADDRESS</u>
Robert Mueller, President	6471 Broadway
Town Line V.F.D.	Lancaster, N.Y.
<u>OPPOSERS</u>	<u>ADDRESS</u>
NONE	

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN CZAPLA
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
8:27P.M.

The Supervisor informed those present that the Town Board would
reserve decision on this matter until their next meeting scheduled for
November 18, 1985.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all
Interested persons upon the Rezone Petition of Pat and Rosemary Casillo.

Affidavits of Publication and Posting of a Notice of a Public
Hearing were presented and ordered placed on file.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M. CONT'D.:

The Town Clerk presented copies of letters which were mailed to the Petitioners, the Erie County Division of Planning, and the Town Clerk of the Town of Clarence, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No recommendation, but project will require County Highway Permit."

The Town Clerk presented a letter from the Town Consultant to the Planning Board recommending a favorable review of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

Patrick Casilio

ADDRESS

9845 Hollington Road
Clarence, N.Y.

OPPOSERS

NONE

ADDRESS

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK____
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:45 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until their next meeting scheduled for November 18, 1985.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.

At 8:45 P.M. the Town Board held a Public Hearing on the proposed Local Law No. 2 of the Year 1985 entitled "Disposition of Revenues from Taxes Imposed by Counties."

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

ADDRESS

NONE

OPPOSERS

ADDRESS

NONE

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK____
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:50 P.M.

The Town Board, later in the evening, adopted a resolution adopting this Local law No. 2 of the Year 1985.

COMMITTEE REPORTS -ACTIONS AND DIRECTIVES:

Councilman Czapla for the Police and Safety Committee asked that the Town Attorney be directed to research and propose for Town Board approval a Noise Abatement Local Law for the Town of Lancaster. The Town Attorney was so directed.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on October 21, 1985 as presented by the Town Clerk, be and
hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, proposed Local Law No. 2 of the Year 1985, entitled "Disposition of Revenues from Taxes Imposed by Counties" allows the Town to receive from the County, revenues such as sales tax, to be used for any Town purpose, and was introduced to the Town Board on October 21, 1985, by Supervisor Keysa, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on November 4, 1985, for the purpose of adopting and enacting a local law to be known as Local Law No. 2 of the Year 1985, entitled: "Disposition of Revenues from Taxes Imposed by Counties",

NOW, THEREFORE, BE

ENACTED, by the Town Board of the Town of Lancaster, as follows:

DISPOSITION OF REVENUES
FROM
TAXES IMPOSED BY COUNTIES

LOCAL LAW NO. 2
1985

A LOCAL LAW TO PROVIDE FOR THE DISPOSITION OF REVENUES FROM TAXES
IMPOSED BY THE COUNTY OF ERIE.

- §1.1 Legislative Intent
- §1.2 Disposition of Tax Revenue
- §1.3 Taxes Affected
- §1.4 Effective Date

Be it enacted by the Town Board of the Town of Lancaster, as follows:

§1.1 Legislative Intent.

This Local Law is enacted to provide for the disposition of revenues from taxes imposed by the County of Erie in that said amounts are to be paid directly to the Town of Lancaster to be used for any town purpose.

§1.2 Disposition of Tax Revenues.

§1262 of the Tax Law authorizes counties to set aside a portion of their sales tax revenue for cities and towns, pursuant to this section, the Town of Lancaster is providing that the amounts paid to the Town, as a portion of the sales tax revenue, shall be paid directly to the Town of Lancaster to be used for any Town purpose.

§1.3 Taxes Affected.

This Local Law will affect sales tax revenue which was set aside by the County of Erie for the Town of Lancaster pursuant to Law.

§1.4 Effective Date.

This Local Law shall take effect after mailing, filing and publication as required by Law.

and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 2 of the Year 1985 on the Town Bulletin Board;
2. Within ten (10) days, publish a certified copy of the Local Law or abstract thereof, describing the same in general terms in the Lancaster Bee, hereby declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on Local Law No. 2 of the Year 1985, with all proofs of publication and posting required for adoption;
4. File certified copies of the Local Law No. 2 of the Year 1985, within five (5) days of adoption, as follows:
 - (a) One (1) copy in Town Clerk's Office
 - (b) One (1) copy with State Comptroller's Office
 - (c) Four (4) copies with Office of Secretary of State, and
 - (c) One (1) copy with the Chief Fiscal Officer of the County of Erie, Edward J. Rutkowski, by certified mail.

This resolution shall take effect immediately and be the only post publication and filing required for adoption of Local Law No. 2 of the Year 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

LEGAL NOTICE

NOTICE OF ADOPTION
TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on November 4, 1985, Local Law No. 2 of the Year 1985, entitled, "Disposition of Revenues Imposed by Counties" briefly summarized as follows:

"A Local Law to provide for the disposition of sales tax revenue from the County of Erie to the Town of Lancaster to be used by the Town of Lancaster for any Town Purpose."

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, PAUL and FLORENCE MARINACCIO, 422 Aurora Street, Lancaster New York, have petitioned the Town Board of the Town of Lancaster for the provisional rezone of certain property on the north side of Genesee Street, approximately 2,000 feet west of Barton Road, from an RC-Residence Restricted Business District to an M1-Light Industrial District in accordance with Chapter 50-126 of the Code of the Town of Lancaster, entitled "Provisional Amendments, and

WHEREAS, this Petition was referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on this petition for proposed provisional rezone was held by the Town Board of the Town of Lancaster on the 7th day of October, 1985, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning, and the evidence adduced at the said Public Hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. That the proposed rezone of subject premises as an M1-Light Industrial District Use is to a use which is not presently provided for on the subject premises.
2. That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961, by the Town Board of the Town of Lancaster.
3. That there are areas within the Town of Lancaster which are presently zoned M1-Light Industrial District which would accommodate the petitioner's proposed use.
4. That the Petitioner knows the use group to which the subject premises is zoned, that being RC-Residence Restricted Business District, and the use categories within the RC use group as enumerated in the Town Zoning Ordinance.

5. That the Petitioner is on notice, by virtue of the Zoning Ordinance being a public record, that there are areas designated in the Zoning Ordinance and Zoning Map, which are presently zoned to accommodate the Petitioners' proposed use.
6. That a zoning reclassification on that part of Genesee Street would add significantly to traffic congestion.
7. That there are several residential properties in the neighborhood and that a reclassification would be detract from their value.
8. That there is a church just east of the proposed rezone and an M-1 use would be inconsistent because of its close proximity to said church.

and

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of the real property to the owner thereof, and

WHEREAS, the reclassification is inconsistent with the surrounding neighborhood in that it would be an island of an M1 use surrounded by RC uses and therefore, the reclassification would be incompatible with the general welfare of the surrounding community, and

WHEREAS, the proposed reclassification does not fulfill a community need, but to the contrary, only fulfills the individual petitioner's needs, and

WHEREAS, the proposed rezoning to M1-Light Industrial Use would open the premises to less desirable uses found in permitted uses for M-1 District, as opposed to uses presently allowed under RC-Residence-Restricted Business District;

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of PAUL and FLORENCE MARINACCIO be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

4. Czapla/_____ Approve Fire Protection Agreements w/Bowmansville
V.F.A. and Town Line V.F.D.

Councilman Czapla requested a withdrawal of his prefiled resolution to allow time for the Fire Company Presidents to review certain technical corrections in the contract.

REQUEST GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Supervisor the Town of Lancaster has requested
authorization to attend a Steering Committee meeting of the New York
Association Lobby for Towns (NYSALT) to be held in Albany on November 14,
1985,

NOW, THEREFORE, BE IT

RESOLVED, that STANLEY JAY KEYSA, Supervisor of the Town of
Lancaster, be and is hereby authorized to attend the Steering Committee
meeting of the New York Association Lobby for Towns (NYSALT) to be held in
Albany on November 14, 1985, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary
expenses incurred in attending this meeting be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, by letter dated November 3, 1985, John Pasquariello,
Recreation Director of the Town of Lancaster, has requested a transfer of
funds in the 1985 General Fund Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers be and are hereby
authorized to the 1985 General fund Budget:

<u>GENERAL FUND</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>	<u>DECREASE</u>
Playgrounds & Recreation - Recreation Equipment	A7140.250	\$ 331.00	
Recreation Administration - Contractual Expenses	A7020.40		\$ 331.00
Parks - Personal Services	A7110.1	\$ 1000.00	
Playgrounds & Recreation - Personal Services	A7140.1		\$ 1000.00
Playgrounds & Recreation - Contractual Expenses	A7140.4	\$ 1400.00	
Playgrounds & Recreation - Personal Services	A7140.1		\$ 1400.00
Playgrounds & Recreation - Contractual Expenses	A7140.4	\$ 600.00	
Pool - Personal Services	A7180.1		\$ 600.00

and,

BE IT FURTHER

RESOLVED, that the following amendments to the 1985 Part Town Fund
be and hereby are effected:

<u>PART TOWN FUND</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
Appropriated Fund Balance	B 599	\$ 1500.00
Budget Appropriations	B 960	\$ 1500.00
Disaster Preparedness - Contractual Expenses	B3670.4	\$ 1500.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

File: R-ACCT-TRNS Page 2

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated September 9, 1985, has requested the confirmation of one new member duly elected to the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, Inc. of the following individual:

Jeff Casillo
945 W. Alaura
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town of Lancaster and the Village of Lancaster have determined that it is in the public interest for the Town of Lancaster Dog Control Officer to perform certain services for the Village of Lancaster involving dog control, and

WHEREAS, the Town of Lancaster and the Village of Lancaster have negotiated an agreement setting forth the terms and conditions thereof, and

WHEREAS, the Village of Lancaster has executed an Agreement entering into a contract with the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute the Agreement with the Village of Lancaster setting forth the terms and conditions for the performance of certain services for the Village of Lancaster involving dog control.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 8961 to 9014 Incl.	\$ 92,988.23
Part Town Fund	No. 1345 to 1356 Incl.	\$ 44,846.78
Highway Fund	No. 3080 to 3090 Incl. No. 1 to 1 Incl.	\$ 17,618.10 22.88
Special District Fund	No. 861 to 861 Incl.	\$ 18.62
Trust & Agency Fund	No. 1058 to 1069 Incl.	\$ 34,146.62
Federal Revenue Sharing Fund	No. 751 to 751 Incl.	\$ 43,457.75
Capital Fund	No. 763 to 763 Incl.	\$ 270.65
Improvement Facilities Sewer Dist. No. 2	No. 179 to 180 Incl.	\$ 675.50

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
230	Horace Bellanca	58 Schlemmer Rd.	ALT. FR. PVT. GARAGE
231	Homes by Helenbrook	6340 Broadway	ER. FR. SIN. DWLG
232	Allan Bldg. Corp.	245 Schwartz Rd.	ER. FR. PVT. GARAGE
233	Steven Kellerman	12 Partridge Wk.	ER. FIREPLACE
234	Town of Lancaster	525 Pavement Rd.	ALT., REMOD. RESTROOMS, OFF. BLDG.
235	Ferry Builders	5234 William St.	ER. FR. SIN. DWLG, PVT. GARAGE
236	M/M Raymond Boreanaz	3494 Broadway	ER. FR. SHED
237	Marrano/Marc Equity	14 Pineview La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
238	James M. Rzyrkowski	6705 Transit Rd.	ER. STEEL STORAGE BLDG.
239	Deirdre Ahl	1061 Ransom Rd.	REBUILD GARAGE
240	James Miles	1312 Ransom Road	REPAIR FIRE DAMAGED FR. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

File: R-BUILDING

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution.
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Vehicle and Traffic Ordinance, Chapter 46, of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue Lancaster, New York, on the 18th day of November, 1985, at 8:15 o'clock P.M. Local Time, and that Notice of the time and place of such hearing be published on or before the 7th day of November, 1985, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

November 4, 1985

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of November, 1985, the said Town Board will hold a Public Hearing on the 18th day of November, 1985, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE VIII - Stop and Yield Intersections:-

§46-8, Stop intersections designated is hereby amended by adding thereto:

.....

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Central Ave.	North/South	Entry Place	Eastbound	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

November 4, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).
On August 19, 1985, the Town Board approved Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84 (street lighting) and 85 (sidewalks).
3. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
4. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
5. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
6. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visibility restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
7. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
8. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

PERSONS ADDRESSING TOWN BOARD:

Gary Schroeck, 49 Meadow Lea Drive asked about the present development status of Heritage Hills Subdivision off Pleasant View Drive. The Supervisor informed Mr. Schroeck that Marrano Enterprises owns this subdivision along with Countryview East Phase II. The present marketing program of Marrano Enterprises is for the development of the Countryview East Phase II and then for the development of the Heritage Hills Subdivision.

Mr. Schroeck also asked if something could be done about the dangerous roadside ditch which exists at the northeast corner of Harris Hill Road and Pleasant View Drive. The Supervisor said he would write to the Erie County Highway Department and make them aware of this dangerous condition.

Mr. Jerry Campanini, 353 Seneca Place spoke to the Town Board about the possible purchase of the Town owned property next to his home on Seneca Place. The Town Attorney and the Supervisor informed Mr. Campanini that this property is owned by the Town of Lancaster and held in reserve for the possible extension of Seitz Avenue into Mohawk Place and is not for sale. Mr. Campanini explained that he wished to purchase this property so that he could erect a garage facing the Town owned property and to use the Town property for a driveway. The Building Inspector was directed to meet with Mr. Campanini and work out some alternative procedure.

COMMUNICATIONS:DISPOSITION

815. Highway Supt. to Budget Director - Decision to keep 1986 Highway Budget as agreed upon 10/7/85.	<u>BUDGET COMMITTEE</u>
816. Town Attorney to Marrano/Marc Equity - Notice of need of barrier to be placed at entry Pl. and Central Ave. intersection.	<u>TOWN ATTORNEY FOR RESOLUTION</u>
817. Asst. Building Inspector to Town Board - Monthly report for October 1985.	<u>R & F</u>
818. Twin Dist. Fire Co. to Town Board - Notice of acceptance of two Jr. Firefighters.	<u>R & F</u>
819. Town Line V.F.D. to Town Clerk - Recommendation of member to active roster.	<u>R & F</u>
820. Supervisor to Town Attorney - Request report on FLSA impact on non-union employees.	<u>TOWN ATTORNEY</u>
821. State Minority Leader to Supervisor - Proposed legislation regarding municipal liability insurance.	<u>SUPERVISOR INSURANCE COMMITTEE</u>
822. County Dept. of Environment and Planning to Supervisor - Advisement pertaining to citizen's concern over Stony Rd. and Pleasant View Dr.	<u>R & F</u>
823. Supervisor to Town Board - Comments regarding funding assistance application.	<u>R & F</u>
824. Planning Board to Town Board - Minutes from meeting held 10/16/85.	<u>R & F</u>
825. N.Y.S. Div. for Youth to Youth Bureau Ex. Dir. - Commendation of services offered.	<u>R & F</u>
826. Town Attorney to Brian Will - Clarification regarding veterans' exemption.	<u>R & F</u>
827. March of Dimes to Building Inspector - Commendation for assistance re: Halloween House.	<u>R & F</u>
828. Siegel, Kelleher, Hirschorn, Munley & Kahn to Supervisor - Request notice of completion and acceptance on behalf of Davco Div. Davis Water & Waste Industries for sewer rehab project.	<u>SUPERVISOR</u>
829. Solid Waste Committee Chair. to N.Y.S. Dept. of Environmental Conservation - Request assistance and input in securing trash disposal site.	<u>R & F</u>
830. Town Attorney to Supervisor - Advisement pertaining to notification of acceptance of sewer rehab project contract of Davco Div. Davis Water & Waste Industries.	<u>SUPERVISOR</u>
831. Town Clerk to Planning Board Chair. - Transmittal of Larry Ensminger and C. Gary Becraft rezone petition.	<u>R & F</u>
832. Franjoine and Jacobi, Accountants to Supervisor - Lancaster Opera House Financial Statements as of 6/30/85 and 1984.	<u>R & F</u>

COMMUNICATIONS CONT'D.:DISPOSITION

833. NYSALT to Supervisor - Notice of Steering Committee meeting to be held in Albany on 11/14/85.	R & F
834. Secretary of State to Supervisor - Comments regarding NYSALT meeting to be held in Albany.	R & F
835. Supervisor to Secretary of State - Request availability of conference room for 12/10/85.	R & F
836. S.E. Community Work Center to Supervisor - Comments regarding financial support.	BUDGET COMMITTEE R & F
837. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of variance petitions of John and Kathy Beck.	R & F
838. Dorise Carlson to Town Board - Expression of appreciation for resolution.	R & F
839. County Dept. of Personnel to Supervisor - Return of certified October 1985 payroll.	R & F
840. Lovell Safety Mgt. Co. to Supervisor - Explanation of recent change in Workers' Compensation Law.	R & F
841. Erie & Niagara Counties Regional Planning Board to Supervisor - Notice of implementation of Fair Labor Standards Act for state and local governments.	R & F
842. County Dept. of Finance to Supervisor - Explanation of sales tax revenue adjustments.	R & F
843. D.C.O. to Town Board - Monthly report for October 1985.	R & F
844. Gordon and Barbara Melancon to Town Clerk - Notice of filing for liquor license for 5555 Genesee Street.	R & F
845. Building Inspector to Town Board - Report of visual inspection of Glendale/ Parkdale Drive with recommendation of payment in full.	R & F

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications:

SUSPENSION GRANTED.

846. Chairman, Recreation Commission to Town Board - Request to make line transfers in their Budget.	R & F
847. Ex. Dir., American Red Cross to Supervisor - Invitation to attend conference regarding Energy Problems of the Elderly & Handicapped.	R & F
848. Supervisor to Village of Lancaster Mayor - Complaints of Lancaster Tower residents regarding condition of Village sidewalks during winter months.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN MILLER, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:05 P.M. out of respect to:

BYRON ANNA

JOHN HARTY

STEPHANIA MROZEK

JAMES NOWAK

STELLA GWAREK

Signed

Robert P. Thill

Robert P. Thill, Town Clerk